

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

OMB Number: 0985-0060

A. Justification

1. Circumstances Making the Collection of Information Necessary

Data collection is essential to the collection of information related to the provision of services and overall performance of the Administration for Community (ACL) legal assistance programs under Section 420 - *Demonstration and Support Projects for Legal Assistance for Older Individuals* - of the Older Americans Act (OAA). Section 420(a) (1) is intended to create a national legal assistance support system to assist States and area agencies on aging in providing, developing, or supporting legal assistance for older individuals. ACL contracts with the National Center on Law and Elder Rights (NCLER), to provide the required services. Through the NCLER contract, ACL provides aging, disability, and related legal professionals with training and complex case consultations and support for demonstration projects regarding contractually identified priority legal topics.

ACL proposes to ask legal and aging/disability providers, who request Legal Training, Case Consultation or Technical Assistance, a series of basic questions related to service requests and follow-up surveys in order to properly assess resource support needs, audience targeting, participant satisfaction, and outcomes of the training and technical assistance delivered. Section 2-*Descriptions and Specifications* (Objective 7) under the NCLER contract addresses performance outcome measurement of the services provided.

The Contractor is required to achieve anticipated outcomes as measured by a series of performance Indicators. Section 2.8 of the NCLER contract references the *Quality Assurance Surveillance Plan* (QUASP) and sets forth the performance Indicators. The information collected by the Contractor from recipients of resource support through NCLER will be provided to ACL monthly and in a report submitted annually to determine contractual compliance in view of requirements in the QUASP.

2. Purpose and Use of the Information Collection

The purpose of the information requested is for ACL to ensure that NCLER creates and prioritizes the training, case consultations and technical assistance resources it is contracted to provide and to ensure that the resource center targets the contractually designated aging and disability network practitioners about the priority subject matters.

This approach enables ACL to make data-informed decisions about deployment of its resource center assets.

These data are necessary for ACL to evaluate contractual compliance with established performance indicators under the NLCER contract (Section 2 - *Descriptions and Specifications* - Objective 7) and delineated in the QUASP. These metrics include quantifiable increases in uptake by stakeholders of training, case consultation and technical assistance, and measures of satisfaction with and perceived benefit from these services. For example, the metrics measure successful problem resolution as a result of the services provided, and present quantifiable data on the fulfillment of requests for training, technical assistance, and consultation related to contractually designated legal and systems development topic areas.

The information requested by ACL from legal and aging and disability professionals falls into the following areas: (1) requests for training, case consultation, and technical assistance through an online, secure Uniform Resource Support Request Tool (URSRT); general requests for Legal Training (including the volume of Webinar registrations), Case Consultation and Technical Assistance; and (2) information about satisfaction and use of the services and support received in order to enable ACL to measure performance outcomes.

Resource Support Requests

ACL proposes (through the NCLER Contractor) to ask aging/disability service providers and legal service providers who may need various forms of resource support a series of questions regarding appropriate delivery of needed assistance in a targeted and efficient manner. These questions will be presented through a web based URSRT that will be used for soliciting and accepting requests for Legal Training, Case Consultation, and Technical Assistance.

Legal Training, Case Consultation, Technical Assistance Requests

ACL proposes to ask legal and aging/disability providers who request Legal Training, Case Consultation, or Technical Assistance (through the NCLER Website using the URSRT) for background information and the following substantive data:

- Type of Organization (Title III-B attorney, Legal Services Corporation attorney, Other Legal Services attorney, Other Elder Law attorney, Other Legal Services professional, Aging and/or Disability Network Professional, Other); and
- Services requested: (Legal Training, Case Consultation, Technical Assistance on Legal Services Delivery, or General Information).

Performance Outcome Measurement

ACL proposes to ask legal and aging/disability providers who request Legal Training, Case Consultation or Technical Assistance the following series of survey questions in order to properly assess audience targeting, participant satisfaction, and anticipated outcomes of the training and technical assistance delivered:

- Type of Organization (Title III-B attorney, Legal Services Corporation attorney, Other Legal Services attorney, Other Elder Law attorney, Other Legal Services professional, Aging and/or Disability Network Professional, and Other Job Title (e.g., Executive Director, Management, Staff Attorney, Counselor);
- Please rank the quality of assistance provided in this (Legal Training/Case Consultation/Technical Assistance);

- Did the assistance provided by this (Legal Training/Case Consultation/Technical Assistance) contribute to a successful resolution of a specific client issue?
- If requesting assistance on legal services delivery, will the assistance provided contribute to the successful completion of legal needs and capacity assessments, legal services delivery plans, legal service delivery guidelines, or data collection/reporting systems?

These questions will be presented through a web-based User Satisfaction Form (USF) that will be used for accepting user feedback on the Legal Training, Case Consultation, and Technical Assistance received through NCLER. The information under all categories will be collected by the NCLER Contractor and provided to ACL/AoA/Office of Elder Justice and Adult Protective Services (OEJAPS) on a regular basis through the submittal of monthly reports and an annual report. The data will be reviewed by ACL and analyzed for the following programmatic purposes:

To determine the resource support requested and legal issues presented: Section 420 (a) of the OAA and the NCLER contract require that professionals within the aging network have access to resource support in the form of training, case consultations and technical assistance in the development of legal assistance delivery systems. The information collected on requests for resource support from aging and disability networks will be analyzed to determine resource needs in legal subject matter areas and systems development topics indicated by the target audience. The information collected will be used by ACL and the Contract Officer Representative (COR) to tailor the resource support provided through the NCLER contract to the ongoing and emerging priority needs of aging and disability networks.

To determine effectiveness in reaching intended target audience: The NCLER contract under Section 420 (a) requires that support services are provided to specific groups of providers within aging and disability networks. The audiences in need of comprehensive resource support through NCLER includes a broad range of legal, elder rights, and aging/disability services professionals, advocates, and organizations. These include legal assistance providers, Legal Assistance Developers (LADs), LTC Ombudsmen, Adult Protective Services, State Units on Aging (SUAs), Area Agencies on Aging (AAAs), Aging and Disability Resource Centers (ADRCs) and others involved in protecting the essential legal rights of older persons. The information collected on requests for resource support from aging and disability networks will be reviewed and analyzed by ACL and the COR to determine whether the appropriate target audiences are requesting and receiving resource support through NCLER. ACL and the COR will also use the information to determine if the use of resource support through NCLER by intended target audiences is increasing at a set percentage annually in compliance with contractual performance indicators.

To determine the quality of legal resource support provided: The NCLER contract performance indicators require that the quality of resource support provided be measured through voluntary recipient feedback. The Contractor is required to assure that a set percentage of recipients of resource support responding to evaluative tools will rate the quality of the assistance provided as good to excellent. The Contractor will have processes in place to ensure the integrity of information received by target audience. The information collected on quality of resource support received by target audiences will be analyzed by ACL and the COR to determine whether minimum performance standards are met and whether necessary actions need to be taken to improve the quality of resource support provided through NCLER.

To determine the usefulness of resource support provided: The NCLER contract performance indicators require the anticipated usefulness of resource support provided be measured through voluntary recipient feedback. The Contractor is required to assure that a set percentage of recipients of resource support responding to evaluative tools will agree or strongly agree that the assistance provided contributed to the successful resolution of a specific legal issue. The information collected on the usefulness of resource support received by target audiences will be analyzed by ACL and COR to determine whether minimum performance standards are met and whether necessary actions need to be taken to improve the practical usefulness of resource support provided through NCLER.

The data collected will be reviewed by the NCLER contract COR on monthly basis through contractually required monthly reports provided by the Contractor. Review of the data will be the focus of monthly calls with the Contractor to guide ongoing program improvements and adjustments as directed by the COR. The data will also be incorporated into the contractually required Summary of Stakeholder Input Document (SSID) designed to guide the ongoing evolution and improvement of NCLER into subsequent contract option years. The data will also be compiled in a final annual report provided by the Contractor and reviewed by the COR against the QUASP to determine contractual compliance.

3. Use of Improved Information Technology and Burden Reduction

The information requested by ACL from legal and aging/disability professionals falls into the following areas: requests for training, case consultation, and technical assistance through an online, secure URSRT; general requests for Legal Training (including Webinar registrations: Case Consultation and Technical Assistance through the NCLER website; and information about satisfaction and use of the services and support received in order to enable ACL to measure performance outcomes. All information will be submitted electronically. The resource recipient data is compiled by the Contractor in the form of monthly reports and provided to the COR on a monthly basis for review and analysis. The information is not collected through ACL's reporting system for other OAA services and is submitted in aggregate to ACL.

The methods contemplated for electronic data submittal reduce the burden to professionals requesting and receiving services through NCLER. The URSRT, for example, is an easy to use two page form (with a check the box and very brief descriptions format) that aging and disability professionals can choose to voluntarily fill out and submit when visiting the NCLER website in search of assistance on priority legal issues and systems development topics. Similarly, consumer satisfaction survey forms used to evaluate targeting, quality and usefulness of resource support are web-based and easily filled out and voluntarily submitted to the Contractor for compilation and submission to COR monthly. No individual data is reported to ACL.

All forms developed for the submission of this data were carefully reviewed by the Contractor and ACL to ensure that they are simplified and streamlined to the greatest degree possible. The forms and questions related to resource support requests through NCLER have also been field tested for ease of use and submission. The reporting method, as described above, optimizes

ACL's ability to aggregate and analyze the data for the programmatic purposes described under Question 2.

4. Efforts to Identify Duplication and Use of Similar Information

No data is available through other data collections that could be used for this purpose.

5. Impact on Small Businesses or Other Small Entities

A small number of private attorneys and small law firms may wish to request assistance from NCLER and voluntarily provide the minimal necessary information in order to receive service. They may also wish to provide satisfaction feedback on the assistance received. All contemplated standardized forms for the submission of data were carefully reviewed by ACL (and the Contractor responsible for collecting and compiling the request/service satisfaction data) to ensure they are simplified and streamlined to the greatest degree possible so as to impose a minimal burden on small businesses requesting assistance through NCLER. Again, information provided to the Contractor by those requesting assistance from NCLER is done on a strictly voluntary basis.

6. Consequences of Collecting the Information Less Frequently

Information provided to the Contractor by those requesting assistance from NCLER is done on a voluntary basis, the frequency of the information provided to the Contractor is at the sole discretion of those individuals requesting assistance. Federal statute and regulations require contractors to submit performance reports to ACL showing that they have achieved satisfactory levels of performance on services provided to warrant continuation of funding. Under Objectives 1 and 7 of the NCLER contract, the Contractor is required to have monthly status discussions with the COR that involve an ongoing analysis of whether all objectives under the contract are being adequately met. For example, new legal issues impacting the aging network often appear that are reflected in monthly reports thus allowing resource support through NCLER to be adjusted accordingly to meet the emerging need. If the data compilation is not conducted by the Contractor at these regular monthly intervals (and an aggregated report provided on an annual basis), ACL will not be able to adequately oversee the performance of NCLER pursuant to contractual monitoring requirements and exercise subsequent renewal of option years for the NCLER contract in a manner consistent with statute and regulations.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**

The respondents will be asked to voluntarily provide information to the Contractor only when they request and receive resource support from NCLER. The obligation lies with the Contractor to compile information provided by respondents as required under Objectives 1

and 7 of the NLCER contract. As previously indicated, if the data compilation is not conducted by the Contractor at regular monthly intervals with an aggregated report provided on an annual basis, ACL will not be able to adequately oversee the performance of NCLER pursuant to contractual monitoring requirements.

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Not applicable.

- **Requiring respondents to submit more than an original and two copies of any document;**

Not applicable.

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**

Not applicable.

- **In connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;**

Not applicable

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Not applicable

- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

Not applicable.

- **Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Not applicable.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

A 60-day notice was published in the Federal Register on August 30, 2021 in 86 FR 48427. There were no public comments received during the 60-day public comment period. A 30-day FRN published in the Federal Register on December 16, 2021 in 86 FR 71506.

The burden hours associated with this information request were determined based on ACL's field testing of the forms with eight providers working within aging/disability/legal networks that are likely to request resource support from NCLER in the future.

The test group providers measured the time required to fully submit requests for resource support through NCLER by answering the required questions related to resource requests using a standardized form and answering satisfaction survey questions also provided on a standardized form. The anticipated frequency of resource support requests from the field are based on a projection of the total number of participants who will request and receive a training, case consultation or technical assistance service and how many of these participants will respond to the satisfaction survey. This frequency estimate is derived from an analysis conducted by ACL and the Contractor of respondents who have requested and received similar services from the Contractor and subcontractors in the past. The various provider stakeholders used in the field test included: Legal Assistance Developers, Older Americans Act-funded III-B legal and associated providers, and State Health Insurance Assistance (SHIP) program directors. The stakeholders had never used the data submission formats prior to the field test.

9. Explanation of Any Payment or Gift to Respondents

Not Applicable.

10. Assurance of Confidentiality Provided to Respondents

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

There are no assurances of confidentiality.

11. Justification for Sensitive Questions

Not Applicable. The data collection does not include questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

The information requested by ACL from legal and aging/disability professionals includes: (1) requests for training, case consultation, and technical assistance through an online, secure URSRT; general requests for Legal Training (including Webinar registrations); Case Consultation and Technical Assistance through the NCLER website; and (2) information about satisfaction and use of the services and support received in order to enable ACL to measure performance outcomes.

The information requested and associated burden and cost calculation for each category of information is as follows:

Resource Support Requests

ACL proposes to ask aging/disability service and legal service providers who may need various forms of resource support a series of questions in order to appropriately deliver needed assistance in a targeted and efficient manner.

These questions will be presented through the web based URSRT that will be used for soliciting and accepting requests for Legal Training, Case Consultation, and Technical Assistance. ACL proposes to ask the following questions through the URSRT:

- First and Last Name [Fillable field]
- E-mail address [Fillable field]
- State [Select from a drop-down menu]
- Organization Name [Fillable field]
- Type of Organization [Select one of the following from a drop-down menu: Title III-B attorney, Legal Services Corporation attorney, Other Legal Services attorney, Other Elder Law attorney, Other Legal Services professional, Aging and/or Disability Network Professional, Other]
- Job Title [Select one of the following from a drop-down menu: Executive Director, Management, Staff Attorney, Counselor, Other]
- Requesting technical assistance on a legal issues or systems development? [Select from drop-down menu: Legal Topic, Systems Development]
 - Legal Topic [If selected, select one of the following from a drop-down menu income, health care, long-term care, nutrition, housing, utilities, and protective services, defense of guardianship, abuse, neglect, and age discrimination and miscellaneous]
Note: Advance Planning is categorized under defense of guardianship, Consumer Protection is categorized under miscellaneous, Economic Security is categorized under income and Supported Decision-Making is categorized under guardianship defense.
 - Systems Development [If selected, select one of the following from a drop-down menu: Data Collection and Reporting, Developing Comprehensive Needs and/or capacity Assessment Tools, Integrating Low-Cost Delivery Mechanisms, Developing Targeting and Outreach Strategies, Developing Legal Service Delivery Standards, Establishing Statewide Legal Training Agendas, Other]
 - Short description of resource support requested and anticipated outcome. For example: “As a result of information provided by this technical assistance, a legal services provider will more efficiently target outreach to elders with economic and social need, as required by the Older Americans Act” [Require respondents limit answer to 200 characters]

Estimated Number of Responses:

ACL expects to receive (30) responses to questions presented in the URSRT from Legal Assistance Developers (LADs) (Title VII, Section 731) housed in SUAs and (50) responses from Older Americans Act (OAA) Title III-B legal providers in the first year, for a total of 80 respondents.

These projected figures are based on a total of approximately 50 LADs and 900 III-B legal providers across the country who may have a need for the comprehensive resource support offered through the URSRT. Also, previous experience under the National Legal Resource Center (NLRC) (which offered a similar array of services to LADs) provides an indicator of response rate.

In subsequent years, the URSRT will be targeted for use by other groups within aging/disability and elder rights networks and thus may increase responses to as high as 1,000. For example, target audience could be broadened to include sources of low cost delivery, such as legal hotlines, State Bar referral services and law school elder law clinics.

Total Estimated Burden Hours:

The burden hours are calculated as (1) minute and 54 seconds to complete the URSRT per respondent, with a total of 2.53 hours, annually. The figure is determined based on ACL field testing of providers working within aging/disability/legal networks who measured the time required to fully submit requests by answering the required questions using a standardized form.

Total Estimated Cost:

The hourly wage rate of \$27.61 for anticipated respondents voluntarily filling out URSRT is derived from the Bureau of Labor Statistics 2021 National Industry-Specific Occupational Employment and Wage Estimates, occupation code 23-1011. Link: <https://www.bls.gov/oes/current/oes231011.htm>.

The salary figures obtained from BLS have been increased by 100% to account for overhead and benefits.

Staff Hours/Annual Costs

2.53 hours x \$71.59 per hour = \$181.12

Legal Training, Case Consultation, Technical Assistance Requests-User Satisfaction

ACL proposes to ask legal and aging/disability providers, who request Legal Training, Case Consultation or Technical Assistance through the web-based URSRT, for the following information:

- First and Last Name [Fillable field]
- E-mail address [Fillable field]
- State [Select from a drop-down menu]
- Organization Name [Fillable field]
- Type of Organization [Select one of the following from a drop-down menu: Title III-B attorney, Legal Services Corporation attorney, Other Legal Services attorney, Other Elder

Law attorney, Other Legal Services professional, Aging and/or Disability Network Professional, Other

- Please identify the service you are requesting: [Select one of the following from a drop-down menu: Legal Training, Case Consultation, Technical Assistance on Legal Services Delivery, or General NCLER Information.

Estimated Number of Responses:

ACL expects between 13,000 and 14,000 requests annually through an ACL sponsored website Resource Support portal. The figure is determined based on ACL field testing of providers working within aging/disability/legal networks who measured the time required to fully submit request by answering the required questions using a standardized form.

The projected figures are determined based on current trends of number of requests the Contractor and subcontractors receive for similar services such as Training and Case Consultation. For example, previously, the contractor typically provided between 50 - 200 case consultations and received 950 training webinar registrants per month. Assuming a similar monthly pattern projected into a one year period, ACL anticipates between 13,000 and 14,000 requests for resource support requests per year through the web-based URSRT. In subsequent years, enhanced public awareness of the availability of Legal Training, Case Consultation, and Technical Assistance within aging/disability/legal networks may result in an annual response rate of as high as 16,000.

Total Estimated Burden Hours:

The burden hours are calculated at (1) minute 42 seconds for each respondent to make a request for Training, Case Consultation, or Technical Assistance. ACL estimates a high end of 14,000 responses with burden hours totaling 397 hours, annually.

Total Estimated Cost:

The hourly wage rate of \$27.61 for anticipated respondents voluntarily requesting service through website Resource Support portal is derived from the Bureau of Labor Statistics 2021 National Industry-Specific Occupational Employment and Wage Estimates, occupation code 23-1011. Link: <https://www.bls.gov/oes/current/oes231011.htm>

The salary figures obtained from BLS have been increased by 100% to account for overhead and benefits.

Staff Hours/Annual Costs

397 hours x \$71.59 per hour = \$28,421.23

Burden calculation for each category of information:

Respondent/Data Collection Activity	Number of Respondents	Minutes per Response	Annual Burden Hours
Resource Support Requests	80	1 min 54 sec	2.53 hours
Legal Training, Case Consultation, Technical Assistance Requests-User Satisfaction	14,000	1 min 42 sec	397 hours
Total	14,080	4 min 39 sec	399.53 hours

Cost calculation for each category of information:

Respondent/Data collection	Number of Respondent Hours	Hourly Wage Rate	Annual Cost
Resource Support Requests	2.53 hours	\$71.59	\$181.12
Legal Training, Case Consultation, Technical Assistance Requests-User Satisfaction	397 hours	\$71.59	\$28,412.23
Total	399.53 hours	\$71.59	\$28,593.35

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

No additional capital or other costs are incurred by respondents as specified in this question.

14. Annualized Cost to the Federal Government

It will take the Contractor an average of two hours a month to compile data in the form of monthly reports and 4 hours to complete an annual report, including monthly discussions with the COR on the meaning and significance of the data. (28 hours x 90.87 = \$2,544.36 x 2 = \$5,088.72)

It will take the COR for the NCLER contract an average of 2 hours each month to review and approve the monthly report from the Contractor, including a conference call with the Contractor to discuss content of the report. The review of the final report (including discussion with the contractor) and QUASP analysis and commentary will require an additional 6 hours. (30 hours x 62.93 (GS-13-9) = \$1,887.90 x 2 = \$3,775.80)

Therefore, the estimated annualized cost to the Federal government is (\$5,088.72 + \$3,775.80) = \$8,864.52

15. Explanation for Program Changes or Adjustments

This reinstatement requests a program change increase of 400 annual burden hours.

16. Plans for Tabulation and Publication and Project Time Schedule

The data will be used by the Contractor to produce reports on a monthly basis and an annual report for ongoing monitoring purposes related to contractual compliance and for making decisions related to renewal of NCLER's contract option year. The information compiled in these reports is for internal ACL use related to contractual oversight only and will not be made available to the general public.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The OMB expiration date will be displayed.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.